EH-4

United States Government **Department of Energy**

memorandum

Idaho Operations Office

Date: February 3, 2005

Subject: Annual National Environmental Policy Act (NEPA) Planning Summary (TS-ETSD-05-006)

To: John Spitaleri Shaw, Assistant Secretary
Environment, Safety and Health
EH-1/FORS

In accordance with DOE Order 451.1B, the Department of Energy, Idaho Operations Office (NE-ID) is submitting its 2005 Annual NEPA Planning Summary. The 2005 Annual NEPA Planning Summary will be made available to the public. Estimated NEPA document costs are provided for actions that are well enough defined from a planning and budget perspective.

Our highest NEPA compliance program priority for 2005 is to issue a Record of Decision for the Final Idaho High Level Waste and Facilities Disposition Environmental Impact Statement (EIS). We will work closely with the Office of NEPA Policy and Assistance and other HQ organizations to coordinate and streamline the review and concurrence process for that EIS.

If you have any questions concerning the attachment or NE-ID's NEPA compliance program, please contact our NEPA Compliance Officer Jack Depperschmidt at (208) 526-5053.

Elizabeth D. Sellers
Manager

Attachment

cc: C.M. Borgstrom, EH-42

DEPARTMENT OF ENERGY
IDAHO OPERATIONS OFFICE
ANNUAL NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
PLANNING SUMMARY

January 2005

1. BACKGROUND

Preparation of an Annual NEPA Planning Summary (the Planning Summary) is a requirement of DOE Order 451.1B. This Order establishes internal agency requirements and responsibilities for implementing NEPA. The Planning Summary is prepared as a means of informing the public and other DOE elements of (1) the status of ongoing NEPA compliance activities, (2) any environmental assessments expected to be prepared in the next 12 months, (3) any environmental impact statements expected to be prepared in the next 24 months, and (4) the estimated cost and schedule for completion of each NEPA review identified. The Planning Summary also periodically includes an evaluation of whether a site-wide environmental impact statement (EIS) would facilitate future NEPA compliance efforts, as required by DOE O 451.B (4)(d). In addition to these requirements, the Planning Summary identifies NEPA documents across DOE that may affect the DOE Idaho Operations Office (NE-ID) or the Idaho National Laboratory (INL).

The following provides information concerning the relationship of past NEPA reviews and events with the current NEPA compliance situation for NE-ID and the INL. The Record of Decision (ROD) for the DOE Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement (PSNF & INEL EIS) was issued May 30, 1995. That EIS ROD implemented alternatives for the DOE national spent nuclear fuel program and for INL environmental restoration and waste management programs. The State of Idaho sued DOE, alleging the PSNF & INEL EIS was inadequate and that NEPA had been violated. The lawsuit was resolved in what became known as the Idaho Settlement Agreement. On October 17, 1995, the Federal District Court entered an order that incorporated as requirements all the terms and conditions of the Idaho Settlement Agreement. A supplement analysis of the PSNF&INEL EIS was completed in September 2002 and was made available to the public. Based on the supplement analysis DOE determined that, at that time, an additional or supplemental site-wide EIS would not facilitate INL NEPA compliance efforts.

2. STATUS OF ONGOING NATIONAL ENVIRONMENTAL POLICY ACT REVIEWS

EM Activities

Idaho High-Level Waste and Facilities Disposition EIS (HLW EIS)
The HLW EIS analyzes alternatives for the treatment and management of calcine, sodium-bearing waste, and newly generated liquid waste including their characteristics, disposition, and transportation of the final waste forms. The HLW EIS also analyzes disposition and closure alternatives for high-level waste treatment and storage facilities at Idaho Nuclear Technology and Engineering Center (INTEC) such as the New Waste Calcining Facility, underground storage tanks, and calcine storage bin sets.

The final HLW EIS, dated September 2002, was issued concurrent with the EPA Notice of Availability published in the Federal Register October 11, 2002 (67 FR 63421). DOE plans a phased decision making process to implement the proposed action and the elements of its preferred alternative. DOE had planned to issue the first ROD in the phased decision making process on the high-level waste EIS in early 2003. However, due to the litigation on DOE Order 435.1, Radioactive Waste Management, approval of the ROD has been held in abeyance pending implementation of new legislation clarifying what is excluded from the definition of HLW in the Nuclear Waste Policy Act and award of the Idaho Cleanup Contract.

The draft Request for Proposal for a "new" Idaho Cleanup Contract was issued in February 2004 includes the requirements for addressing the treatment of the sodium bearing waste (SBW), facilities disposition, including tank closure, and a path forward for the disposition of the high-level waste calcine. The anticipated schedule is to award the contract on March 15, 2005 with implementation on May 1, 2005. DOE plans issuing a phased ROD on the final HLW EIS regarding the SBW treatment process, facility disposition, and the Calcine path forward after the "new" Idaho Cleanup Project Contract is awarded. It is anticipated that the ROD will be issued in July 2005.

3. ACTIONS FOR WHICH ENVIRONMENTAL ASSESSMENT (EA) PREPARATION IS PLANNED TO BE INITIATED IN THE NEXT 12 MONTHS.

NE Activities

Coal Fired Steam Generation Facility

NE-ID is considering transferring by leasing or other disposition buildings and equipment associated with an unused steam generation facility on approximately 15 acres of land at the INL. One proposal under consideration by DOE intends to rehabilitate and operate the premises to promote economic development, conduct research and development authorized by DOE authorities, and produce commercial electric power. Qualified applicants would be sought to convert the steam generation facility to enable electric power generation using private funds. The applicants will be private companies that have the capability from both technical and financial aspects to successfully complete the conversion. The applicants must demonstrate a willingness to cooperate with INL in conducting research compatible with the operation of the facility, such as clean coal and biomass firing. The second proposal is from another group that would like to remove useful equipment for future use as compensation for demolishing the facility buildings.

Disposition of the facility is contingent upon completion of NEPA and the receiving party will cooperate with DOE by providing needed information. DOE will identify what information is required to comply with NEPA in completing an EA. Proposing parties will, at their expense, provide this information to DOE. DOE anticipates the preparation of the EA to start in April 2005 and be completed in September 2005. The cost of the EA is not known at this time.

Remote Treatment Project

The proposed action is to provide heavily shielded remote waste handling services for NE legacy remote handled (RH) waste stored at the Materials and Fuels Complex (MFC) (formally know as Argonne National Laboratory –West) and for newly generated RH waste. The project would also have the capability to process Environmental Management legacy RH waste stored at Radioactive Waste Management Complex. The project would include a shielded hot cell with equipment for sorting, characterizing, treating and repackaging highly

radioactive transuranic, mixed, and other radioactive waste. The facility mission is to make RH radioactive wastes ready for shipment to disposal. Much of the proposed action was analyzed in the PSNF & INEL EIS as the Remote Mixed Waste Treatment Facility project. Notice of Intent (to prepare an EA) letters were mailed to State of Idaho and Shoshone-Bannock Tribal contacts in January of 2001. The initial draft of the EA (May 2001) was put on hold pending resolution of management options and consideration of alternatives. The revised draft EA is now scheduled for distribution for public comments in March of 2005. The EA is scheduled for completion in July of 2005. The total cost of the NEPA process is estimated to be $150,000.

EH Activities

New Radiological and Environmental Sciences Laboratory
DOE will be proposing to provide replacement facilities for the Radiological and Environmental Sciences Laboratory (RESL). RESL is a DOE federal reference metrology laboratory, with core mission capabilities in analytical chemistry and radiation measurements and calibrations, conducting measurement quality assurance programs to assure that key DOE missions and goals are achieved in a safe and environmentally responsible manner. The current RESL analytical laboratory (CFA-690) is more than 40 years old, and the RESL dosimeter irradiation laboratory (CFA-638) is more than 60 years old. Both are in need of replacement. DOE will likely want to proceed with Title II for the new project by April 2006. Assuming an 8-month EA schedule, an EA would need to begin by July/August 2005. The projected cost of the EA is unknown at this time.

EM Activities

Nuclear Regulatory Commission NEPA Review
In addition to anticipated DOE actions at the INL that warrant NEPA review, the Nuclear Regulatory Commission (NRC) has separate NEPA authority over NRC-licensed activities forming a part of the INL mission. These activities currently include the Three Mile Island Unit 2 (TMI-2) Independent Spent Fuel Storage Installation (ISFSI) licensed under materials license SNM-2508 (located on the INTEC site) and the Fort St. Vrain ISFSI licensed under materials license SNM-2504 (located near Platteville, Colorado). NRC evaluates changes in or exemptions from license conditions/regulations under NEPA. NEPA reviews/actions are anticipated to occur (though infrequently) in the future as NRC regulatory requirements evolve.

In addition, Foster Wheeler Environmental Corporation (FWENC) submitted a license application (Docket #72-25) to the NRC on November 19, 2001 for a spent fuel storage facility to be constructed on the INL. The facility will be owned and operated by Foster Wheeler under a privatization contract with NE-ID. The NRC is the NEPA agency of record regarding the FWENC facility and published a final EIS on the project in January 2004. The 10 CFR Part 72 NRC license (materials license #2512) was issued on November 30, 2004 and constitutes the equivalent of the DOE ROD.

Inactive Reactors Deactivation, Decontamination, and Decommissioning (DD&D)
NE-ID is in the process of characterizing the hazardous materials and contamination located in the Engineering Test Reactor and Material Test Reactor facilities located at the INL. An initial draft EA has been prepared to explore the options for DD&D. After May 1, 2005, this characterization information will be used by the new ICP contractor to determine the best approach for pursuing reactor DD&D. If it is decided that an EA will be finalized for these reactors, the EA will present the reactor DD&D alternatives along with the analysis and impacts. The cost of the EA is estimated to be $285,000.

4. ACTIONS FOR WHICH ENVIRONMENTAL IMPACT STATEMENT PREPARATION IS PLANNED TO BE INITIATED IN THE NEXT 24 MONTHS.

With the renewed emphasis on nuclear energy there may be a need for future NEPA reviews on proposed nuclear energy projects.

5. EVALUATION OF WHETHER A SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT WOULD FACILITATE FUTURE NEPA COMPLIANCE EFFORTS.

In late 2004, NE-ID began preparation of a supplement analysis to compare the projects in the 1995 DOE Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs Final Environmental Impact Statement with updated INL plans and prevailing environmental baseline conditions. The supplement analysis will be used as a basis for determining (a) whether the environmental impact statement record of decision should be amended; (b) whether a supplemental EIS or a new EIS should be prepared; or (c) that no further NEPA review is required. The supplement analysis is scheduled to be completed and made available to the public in June 2005.

6. ENVIRONMENTAL IMPACT STATEMENTS AND ENVIRONMENTAL ASSESSMENTS COMPLETED IN 2004.

None

7. DOE NEPA REVIEWS IN PROGRESS OR PENDING, WHICH CONSIDER THE INL IN THE PROPOSED ACTION OR ALTERNATIVES.

1. Disposition of Scrap Metals Programmatic EIS (May affect disposition of INL scrap metal).
2. The West Valley Demonstration Project Waste Management Final EIS (DOE/EIS 0337F) considers the INL in an alternative for the interim storage of transuranic waste.
3. The Bureau of Land Management is working on an EIS for wildland fire and fuels management. That EIS describes the INL as a category B polygon meaning wildland fire is not desired and aggressive fire suppression tactics would be employed.
4. The EIS for the Proposed Consolidation of Nuclear Operations Related to Production of Radioisotope Power Systems includes in its scope the construction of new Pu-238 production facilities at the INL and the irradiation of Np-237 targets in the Advanced Test Reactor facility.
5. The EIS for the Decommissioning of the Fast Flux Test Facility (FFTF) includes in its scope the use of the Sodium Process Facility at MFC for chemically converting and recycling the FFTF reactor coolant sodium. The EIS also includes the use of the proposed Remote Treatment Project at MFC to remove sodium from FFTF reactor coolant impurity traps.
6. The Pierre Auger Project is a 19-country collaboration studying the origin and scientific significance of high energy cosmic rays on earth. Project funding is provided by the countries as well as the National Science Foundation, DOE Office of Science as well as other sources of funds. Current work under this project is focused on the southern hemisphere site in Malarque, Argentina with current efforts underway to select the defined northern hemisphere site. A Northern Hemisphere Site Selection Committee has been evaluating potential sites and over the last several years focused attention has been placed on sites in Utah and

Colorado. These two sites are the primary sites but as a contingency the Project would like to have a third alternative in case the first two sites have complications. In October the committee official selected the Idaho National Lab as the official alternative site in the event the first two failed in selection. If the INL option were exercised, DOE would have to complete the appropriate NEPA documentation before determining whether the project could be placed on the INL. This could require an expedited process.